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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,293	12/28/2000	Darwin A. Engwer	003239.P070	8609

7590 08/19/2005

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EXAMINER

PATHAK, SUDHANSHU C

ART UNIT PAPER NUMBER

2634

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Supplemental Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/751,293	ENGWER, DARWIN A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sudhanshu C. Pathak	2634	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to November 29th, 2004.
2. ☒ The allowed claim(s) is/are 6, 2-5, 8, 7, 17, 11-16, 18, 26, 20-25, 27, 35, 29-34, 36-40, 56-57 and re-numbered as claims 1-37 respectively.
3. ☒ The drawings filed on December 28th, 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>August 18<sup>th</sup>, 2005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### DETAILED ACTION

1. Claims 2-8, 11-18, 20-27, 29-40 & 56-57 are pending in the applications.
2. Claims 1, 9-10, 19, 28 & 41-55 have been canceled.

### EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William W. Schaal on August 4<sup>th</sup>, 2005.

In Order to avoid a 112 1<sup>st</sup>, Paragraph Rejection the claims have been amended as follows:

Typographical error:

➤ In Claim 17, lines 2-4, **replace**

"communicating from a first access point to a first mobile unit in a wireless network to inform the first mobile unit that the first access point is capable of handling data compression: determining weather to compress data based" **with**

.....communicating from a first access point to a first mobile unit in a wireless network to inform the first mobile unit that the first access point is capable of handling data compression: determining whether to compress data based.....

***Allowable Subject Matter***

4. Claims 6, 2-5, 8, 7, 17, 11-16, 18, 26, 20-25, 27, 35, 29-34, 36-40, 56-57 and re-numbered as claims 1-37 respectively are allowable over the prior art of record because the cited references do not contain the specified limitation of a method comprising informing one or more mobile units within a wireless network that a first access point is capable of handling data compression; informing the first access point that a first mobile unit is capable of handling compression; optionally compressing data at the first mobile unit prior to transmitting the data to the first access point, by deciding whether to compress the data based upon at least one factor selected from the group comprising of a first factor indicating whether the first access point is capable of handling data compression, a second factor indicating whether the first mobile unit can perform data compression according to one or more specific compression schemes that are supported by the first access point, a third factor indicating whether the size of data to be transmitted exceeds a first threshold level, a fourth factor indicating how much data waiting in a queue to be transmitted, a fifth factor indicating a relative position of the data to be compressed with respect to other data in the queue that is waiting to be transmitted, a sixth factor indicating whether the type of the data to be compressed is suitable for data compression, a seventh factor indicating whether previous compression gain exceeds a second threshold level, and an eighth factor indicating a relative computational power of the first mobile unit to

be used for data compression tasks; and optionally compressing data at the first access point prior to transmitting the data to the first mobile unit.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sudhanshu C. Pathak whose telephone number is (571)-272-3038. The examiner can normally be reached on M-F: 9am-6pm.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571)-272-3056
  - The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
  - Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sudhanshu C. Pathak



8/18/05